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Senate Bill 1202 (As Introduced)

Topic: Telecommunications Service Records
Sponsor: Senator Patterson
Co-sponsors: Senators Hardiman, Birkholz, Garcia, Basham, Van Woerkom, and Prusi
Committee: Senate Technology & Energy

Date Introduced: March 30, 2006

Date of Summary: April 28, 2006

The bill amends the Identity Theft Protection Act to include obtaining confidential telephone records in the prohibited conduct in the act. The bill defines “confidential telephone record” as information that relates to the quantity, technical configuration, type, destination, location, and use of a telecommunications service by a customer; information made available to a provider by a customer solely by virtue of the relationship between the provider and the customer; and information contained in any bill related to the telecommunications product or service offered by a provider and received by a customer. “Telecommunications provider” is defined in terms of the Michigan Telecommunications Act with the specific addition of any provider of IP-enabled voice service. The bill defines “telecommunications service” as cellular service, broadband personal communication service, and covered specialized mobile radio.

The bill prohibits a person from doing any of the following:

- Knowingly procuring, attempting to procure, or soliciting or conspiring with another to procure a confidential telephone record of any resident of Michigan without authorization of the customer.
- Knowingly selling or attempting to sell a confidential telephone record of a Michigan resident without authorization of the customer.
- Receiving a confidential telephone record of a Michigan resident knowing that the record has been obtained without customer authorization or by fraudulent, deceptive, or false means.

The prohibitions of the bill do not prohibit a law enforcement agency or officer from obtaining confidential telephone records in connection with the performance of the agency’s official duties. A telecommunications provider is not prohibited from obtaining, using, disclosing, or permitting access to any confidential record, either directly or indirectly, in the normal course of business or as otherwise authorized by law.